



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**REPORT OF THE COMMITTEE ON GENERAL PURPOSE ON THE EAC
ANNUAL REPORT FOR 2011/2012**

**Clerks Chambers
EAC Headquarters
EALA Wing, 3rd Floor
Arusha – TANZANIA**

28th May 2014

1.0 Introduction

In accordance with Article 48 (3) and 49 (2) of the Treaty for the Establishment of the East African Community and Rule 79 (ii) and (2) of the Rules of Procedure of the Assembly, the EAC Annual Reports are considered by the Committee on General Purpose and adopted by the Assembly.

The mandate of the Assembly is to consider the EAC Annual Reports in accordance with the Treaty which empowers the Assembly to establish Committees to look into matters of legislation, budgeting and oversight over Projects and Programmes of the EAC. The Committee on General Purpose is mandated, among others, to carry out oversight on the progress made in the implementation of provision, which address matters of general applications on the EAC in relation to its role and functions.

The Annual Report of the EAC for year 2011/2012 was tabled before the Assembly by the Hon. Chairperson of the Council of Ministers on 23rd January 2014 in Kampala, Uganda and consequently committed to the General Purpose Committee of EALA for consideration.

The Committee on General Purpose met in Arusha from 2nd to the 7th of March 2014 to consider the Annual report.

2.0 Methodology

Following the consideration of the Annual Reports of the years 2009/2010 and 2010/2011 and the adoption of the same by the Assembly on 23rd April 2013, the Committee sought to ascertain whether the 2011/2012 Annual report had taken into consideration the Assembly's recommendations and general inputs in the preparation and submission of the report.

The Committee particularly wanted to establish whether the standards and expectations as recommended while considering the 2009/2010 and 2010/2011 reports on 18th April 2013 in Kigali, Rwanda were met. These standards and expectations include, among others the following:

- A Report that includes challenges met and future outlook in the implementation of EAC Activities and programmes;
- A Report that reflects qualitative and quantitative outputs and presentations on the status of the Community;
- A Report that contains instructive statistics, financial statements and summaries relating to the EAC Development Strategy.

The Committee considered the undertakings made by the Chairperson of the Council before the Assembly during consideration of the EAC Annual Reports 2009/2010 and 2010 /2011 from the Hansard of 23rd April 2014.

The Committee also considered the EAC Cumulative Implementation progress Reports for 2011/2012, and finally met with the EAC Deputy Secretary General, Planning and Infrastructure and the Senior Monitoring and Evaluation Officer from EAC to analyse the aspect of consideration of the EAC Annual Report in line with the provision of the Treaty.

The Committee set up a Sub-Committee to prepare technical input to analyse the aspect of consideration of the EAC Annual Report in line with the provisions of the Treaty. The sub-committee was also expected to define the objectives, criteria and content of the report to be delivered to the Assembly, since all the reports tabled before the Assembly were not appropriate for the parliamentary functions.

3.0 Findings and Observations of the Committee

3.1 It is the considered view of the Committee on General Purpose, that most of the recommendations of the Assembly made previously were not reflected in the Annual Report of the year 2011/2012. All of the recommendations and observations concerning the 2009/2010 and 2010/2011 are still pertinent for the report under review. Reference can be made to the previous reports of this Committee on this matter as annexed hereto as *Annex I*.

- 3.2 The Committee on General Purpose, while observing a general attempt to improve the quality of Annual Reports, finds that the Report submitted does not meet the statutory obligations of accountability required by the Assembly. The Committee is of the opinion that, although the report submitted may be useful to other audiences and purposes, it does not have sufficient depth and detail to be useful to the Parliamentary function of the Committee and the Assembly.
- 3.3 During the meeting between the DSG Planning and Infrastructure, and the Committee, the Committee recommended that the EAC Annual Report 2011/2012 be tabled with the necessary information and details to inform the requirements of East African Legislative Assembly. This recommendation was agreed upon.
- 3.4 The Committee further observes that an Annual Report should be timely, whose form and content should be satisfactory to the Assembly. In broad terms the report seeks to recommend the time frame, form and content of any future Annual Report submitted to the Assembly. The Committee is of the view that an Annual Report to the Assembly ought to meet the specific needs of the Assembly's given roles that is representative, legislative and oversight roles.
- 3.5 Future EAC Annual Reports to the Assembly must move away from a template of a general report intended to serve many purposes and many stakeholders and adapt an approach of a different reported suited to the Assembly.
- 3.6 On the nature and/or form of the Annual Reports, the Committee is of the opinion that Article 49 (2) and Article 132 when read together with the reporting requirements of the East African Community Budget Act, 2008 forms the legal basis for the preparation and tabling of the Annual Reports to the Assembly. Article 49 (2) (c) provides -"The Assembly shall consider annual reports on the activities of the Community, annual audit reports of

the Audit Commission and any other reports referred to it by the Council.”

- It is the estimation of the Committee that the import of Article 49 (2) and Article 132 and bearing in mind the representative, legislative and oversight roles of the Assembly, the primary purpose of the Annual reports is accountability.

4.0 Recommendations

The Committee is of the view that the Annual Reports should consider the following requirements:

4.1 The Committee is agreeable to the current approach of a consolidated report comprising reports of the Organs or Institutions of the Community. Whichever approach is undertaken, the Report to the Assembly should provide the necessary details that reflect the correct picture of the Community in a given year.

4.2 The Annual report should be written in simple language and provide sufficient information, detail and analysis for the Assembly to make a fully informed judgement on the performance of the Organs and Institutions as well as the status of the Community.

4.2.1 The Annual Report should indicate priorities set during the planning process and the level of implementation so as to determine achievement of specific goals and objectives and utilisation of resources that were earmarked.

4.2.2 The Annual Report should indicate monitoring and evaluation systems and monitor performance of internal and external reporting systems and provide indicators used in both periodic and annual reporting as well as establish their linkages.

4.2.3 The Annual Reports should indicate policies and procedures used in the management of financial, human and information resources for a given year.

- 4.2.4 The Annual Reports should have an ethical framework and standard from which to base policies and standards, findings of both internal and external reviews including among others gender equity and budgeting, anti-corruption measures, etc.
- 4.2.5 Annual Reports should match the allocation of resources in the budgetary process with the achievement of outcomes. It should provide detailed information about performance of Organs, Institutions, Projects and Programmes as well as forecast future needs and expectations.
- 4.2.6 Annual reports should also have the risk assessment for the given year being reported on including the measures undertaken to mitigate against those risks.
- 4.2.7 The Annual Reports should be submitted to the Assembly in a timely fashion and within a timetable agreed upon between the Council of Ministers and the Assembly.
- 4.3 The Committee recommends that the Assembly should consider reviewing and proposing amendments to various legal instruments including the East African Community Budget Act, 2008 the Administration of the East African Legislative Assembly Act, 2012 in order to improve the budgeting process, its implementation, assessment and audit as well as reporting.**
- 4.4 The Committee recommends to the Assembly to consider strengthening of the General Purpose Committee and the Accounts Committees to perform effectively their statutory obligations, including provision of adequate facilitation in terms of working days, training and the development of requisite competencies, adequate research, equipping the**

office of Clerk to the Committee with adequate resources etc.

4.5 The Committee urges the Council of Ministers to consider increasing the number of Committee activities. Currently, the Assembly is only able to budget for two activities and an additional one is funded by the Partnership Fund.

4.6 The Committee recommends that a provision be made in the budget for the establishment of Select Committees, under Rule 80, for the consideration or investigation on any matters referred to it by the House. This mechanism is designed to enhance the Assembly's ability to perform the function of inquiry and accountability. Given that the Assembly does not have any resources set aside for this important function, the Assembly's capacity is undermined.

5.0 Acknowledgements

The Committee would like to acknowledge and express appreciation to the office of the Rt. Hon. Speaker of EALA for granting leave to the Committee to consider the EAC Annual report 2011/2012, the office of the Clerk, EALA for facilitating the work of the Committee, the office of the DSG Planning and Infrastructure and officers of the Secretariat for the discussions held on 4th March 2014, and finally, appreciation goes to the EAC Partnership Fund for funding the activity.

6.0 Conclusion

The Committee on General Purpose believes that in order for the Annual Reports to serve the primary function of accountability to the Assembly, their form and content need to change. The Committee recommends that the Council of Ministers give the necessary attention to the recommendations contained in this report.

The Committee therefore recommends to the Assembly to adopt the Report of the Committee on the EAC Annual Report 2011/2012, and urges the Council of Ministers, going forward to table the EAC Annual Report to the Assembly according to the recommendations herein.

Madam Speaker, I beg to move.